IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

WP(C).No. 1054 of 2007(A)

PETITIONER:

THOMAS JOSEPH, S/O.JOSEPH,
221/4, POOTHOTTAL, VELLIMALA,
NETTITHOZHU P.O., IDUKKI.

BY ADV. SRI.C.M.TOMY
SRI.MATHEW SKARIA
SRI.M.V.RAJENDRAN NAIR

RESPONDENTS:
---

1. THE SUB INSPECTOR OF POLICE,
VANDANMEDU POLICE STATION, VANDANMEDU,
IDUKKI DISTRICT.

2. THE INTELLIGENCE OFFICER,
SQUAD NO.1, IDUKKI AT KATTAPPANA.

3. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, DEPARTMENT OF COMMERCIAL
TAXES, SECRETARIAT, THIRUVANANTHAPURAM.

BY G.P.SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & K.P.BALACHANDRAN,JJ.

W.P.(C)No.1054 OF 2007

Dated 18th January, 2007

JUDGMENT

Koshy,J.

This is a petition alleging police harassment. According to the petitioner, he is the owner of a 1982 model Mahindra Jeep bearing Reg.No.KLB-2004 having contract carriage permit. It is the case of the respondent that when the above jeep was sought to be stopped by the Intelligence Officer, for checking whether the goods contained in the jeep suffered tax under the Kerala Value Added Tax Act, 2003, it speeded-up, passed the boarder and entered the Tamil Nadu State. That matter was reported and Ext.P3 notice was issued and proceedings are going on. It is submitted by the Government Pleader that police is acting only as per the request of the Intelligence Officer. According to the petitioner, he has not committed any offence or violated the provisions of the Kerala Value Added Tax Act, 2003. It is for him to reply Ext.P3 notice and participate in the proceedings. We are of the view that police has not exceeded its

jurisdiction and it cannot be stated that it is a harassment. However, police should see that investigation is conducted strictly according to law.

The writ petition is disposed of accordingly.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

tks